

about. It simply prods the Department to come up with a plan to take the lessons learned from the pilot project and submit a proposal for reaching 100 percent scanning.

We have to look at a few contradictions in our national security. Not everyone who walks into the White House is a high threat. Yet we screen 100 percent of people. We need to apply the same understanding to other aspects of our security. We must recognize that the terrorists will come to understand what we consider as high-risk cargo. As we say we are looking at high-risk cargo and we do 100 percent of that, that still leaves 95 percent of all the cargo unscanned. Eventually, the terrorists will adapt and they will determine that they should go and try to place their device in that which is not considered high-risk cargo. Without 100 percent scanning, we will not be able to adapt to terrorists as they change their tactics.

We have seen in aviation security how they have changed their strategy from box cutters, to shoes, to liquids. The methods they use to infiltrate our security continue to evolve. So must we. We are naive to think only high-risk cargo should be scanned. We need to be able to be as adaptable as they are so we can stay one step ahead.

My colleagues, in noting their opposition to the Schumer-Menendez amendment last week, did not object to the goal of reaching 100 percent scanning. In fact, the distinguished Senator from Maine stressed the importance of moving forward with vigorous implementation of the SAFE Port Act, including the requirement that 100 percent of all high-risk cargo be scanned. I would argue this amendment helps achieve that goal and will ensure that we continue to move forward toward 100 percent scanning.

Last year, I offered an amendment that would have required the Department to develop a similar plan to achieve 100 percent scanning, and there were a few provisions my colleague from Maine took issue with, and so we have amended this version. In the scheme of things, this is a very small additional requirement for the Department, but in my opinion it takes us a significant step forward toward a very crucial goal.

Finally, this amendment does not ignore the progress we are making because of the SAFE Port Act. In fact, it would build upon the SAFE Port Act's goal of expanding scanning at foreign ports on a reasonable timeline.

I also hope my colleagues will not look at the 9/11 Commission Report as a way to argue that improving security of our cargo is not in line with the 9/11 Commission recommendations. There is no doubt our ports remain one of the most vulnerable transportation assets. The 9/11 Commission recognized this. Let's take a step back and look at what the Commission actually said.

First, I think it is important to keep the Commission's report in context. It

runs nearly 600 pages and covers an incredible amount of material, from a factual accounting of the events leading up to September 11, an assessment of the weaknesses of our national security, and, finally, what the Commission itself calls a limited number of recommendations. The recommendations are wide ranging in scope, and there is no way we can expect each recommendation to carry out each detail of what that recommendation should entail and the action that should be carried out.

In discussing cargo security, the Commission lumped it together with aviation and transportation security. Given the nature of the attacks, we understand the obvious focus on aviation security. However, the Commission also noted the vulnerabilities in cargo security and lamented the lack of a strategic plan for maritime security.

In making its recommendations on transportation security, the Commission called on Congress to do two very specific things: Set a specific date for the completion of these plans, and hold the Department of Homeland Security accountable for achieving them.

I could not agree more. We come to the floor calling for the opportunity to work our way, building upon the present port security initiative—to work our way to see the Department of Homeland Security give us a plan to achieve that final goal, recognizing all of the challenges. In doing so, we move closer and closer to that day in which, in fact, we will be adaptable to the reality that at some point the terrorists will come to understand that only going after high-risk cargo leaves them a huge opening, 95 percent of all the other cargo, to get in their weapon of mass destruction.

That is not a risk that we can afford. We need to be right all the time. They only need to be right once. Therefore, I believe this is an amendment that creates a middle ground and moves us forward to that 100 percent scanning opportunity and therefore improves our national security. I hope when the time comes to vote on it we will have the support of our colleagues in this body.

I yield the floor.

#### RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until the hour of 2:15 p.m.

Thereupon, the Senate, at 12:30 p.m., recessed until 2:16 p.m. and reassembled when called to order by the Presiding Officer (Mr. CARPER).

The PRESIDING OFFICER. The Senator from Connecticut.

#### AUTHORIZING USE OF THE ROTUNDA OF THE CAPITOL

Mr. LIEBERMAN. Mr. President, I ask unanimous consent that the Rules Committee be discharged from further consideration of S. Con. Res. 15 and that the Senate then proceed to its consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the concurrent resolution by title.

The assistant legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 15) authorizing the Rotunda of the Capitol to be used on March 29, 2007, for a ceremony to award the Congressional Gold Medal to the Tuskegee Airmen.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. LIEBERMAN. I ask unanimous consent that the concurrent resolution be agreed to, the motion to reconsider be laid on the table, and that any statements be printed in the RECORD with no intervening action.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (S. Con. Res. 15) was agreed to, as follows:

#### S. CON. RES. 15

*Resolved by the Senate (the House of Representatives concurring), That the Rotunda of the Capitol is authorized to be used on March 29, 2007, for a ceremony to award a Congressional Gold Medal collectively to the Tuskegee Airmen in accordance with Public Law 109-213. Physical preparations for the ceremony shall be carried out in accordance with such conditions as the Architect of the Capitol may prescribe.*

#### IMPROVING AMERICA'S SECURITY ACT OF 2007—Continued

##### AMENDMENT NO. 352 WITHDRAWN

Mr. LIEBERMAN. Mr. President, on behalf of Senator MENENDEZ, I ask unanimous consent to withdraw amendment No. 352, which he had introduced earlier today.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### AMENDMENT NO. 354 TO AMENDMENT NO. 275

Mr. LIEBERMAN. On his behalf, I send another amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Connecticut [Mr. LIEBERMAN], for Mr. MENENDEZ, proposes an amendment numbered 354 to amendment No. 275.

Mr. LIEBERMAN. I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To improve the security of cargo containers destined for the United States)

On page 219, between lines 7 and 8, insert the following:

#### SEC. 804. PLAN FOR 100 PERCENT SCANNING OF CARGO CONTAINERS.

Section 232(c) of the Security and Accountability For Every Port Act (6 U.S.C. 982(c)) is amended—

(1) by striking “Not later” and inserting the following:

“(1) IN GENERAL.—Not later”; and

(2) by inserting at the end the following new paragraph:

“(2) PLAN FOR 100 PERCENT SCANNING OF CARGO CONTAINERS.—